

Docket Number: 2063-P

Consolidated with Docket No. 1975

HOPKINS HOUSE

Louis J. Capozzi, Jr., Esquire
~~David C. Marshall, Esquire~~
~~Stephen A. Miller, Esquire~~
Michael A. Hynum, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE**

John A. Kane, Chief Counsel
Leonard Crumb, Esquire

February 1, 1996

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$75,619.00+.

February 6, 1996

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General.

February 12, 1996

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 7, 1996.

February 12, 1996

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 8, 1996.

March 25, 1996

Answer to Complaint and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 27, 1996

Plaintiff's Answer to New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 10, 1996

Petition to Amend Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 10, 1996

Amended Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 7, 1996

Acceptance of Service of Amended Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 30, 1996.

July 19, 1996

Defendant's Answer to Complaint (Amended Complaint) and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 26, 1996

Letter forwarded to attorney for Plaintiff requesting a Reply to New Matter. **Response due 8-26-96.**

August 27, 1996

Plaintiff's Answer to New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 2, 1997

Status letter forwarded to parties on 6/2/97. RESPONSE DUE 7/2/97.

October 20, 1997

Status letter received from attorney for Plaintiff advising that they are preparing a proposal settlement for the Defendant.

March 4, 1998

Plaintiff filed Entry of Appearance.

April 8, 1998

Status letter received from Plaintiff advising that the matter has been transferred to their office. They are preparing a response to Defendant's discovery requests and a position paper for settlement discussions.

May 7, 1998

Letter received from attorney for Plaintiff advising that the matter has been tentatively resolve and the hearing scheduled for May 12, 1998 should be canceled. A praecipe will be filed to Discontinue and End the case.

October 15, 1998

Status letter forwarded to parties. RESPONSE DUE 11/16/98.

November 10, 1998

Status letter received from attorney for Plaintiff advising that the parties have commenced discovery. Upon completion of discovery Plaintiff will forward a settlement offer to the Defendant after review.

August 12, 1999

Letter forwarded to parties requesting a status. Response due 9/13/99.

September 8, 1999

Letter received from attorney for Plaintiff advising that the parties are engaged in discovery. Plaintiff will forward a settlement offer in the form of a position paper to the Defendant. If the parties are unable to settle a hearing will be requested.

May 22, 2000

Letter forwarded to parties requesting a status. DUE 6/22/00.

June 9, 2000

Letter received from Plaintiff advising that the parties have completed discovery and Plaintiff is preparing a settlement offer for Defendant. If the parties are unable to reach a settlement offer a hearing will be requested.

January 19, 2001

Letter forwarded to parties requesting a status report. Status report due on or before February 19, 2001.

January 26, 2001

Entry of Appearance filed by Capozzi and Associates on behalf of Plaintiff.

February 14, 2001

Letter received from attorney for Plaintiff (Capozzi and Associates) advising that they have been retained as new counsel for Plaintiff and after review of the records they will forward an updated status report.

April 30, 2001

Letter received from attorney for Plaintiff advising that they were preparing a settlement of this and related matters for Defendant.

December 20, 2001

Letter forwarded to parties requesting a status report. Response due 1-22-02.

January 9, 2002

Letter received from attorney for Plaintiff advising that their accountant has reviewed all issues in this appeal. Once this process is complete a settlement proposal will be forwarded to Defendant for review. The Board will be notified if settlement is reached or to request a hearing.

July 11, 2002

Letter forwarded to parties requesting a status report. Status report due on or before **August 12, 2002.**

August 12, 2002

Letter received from Plaintiff advising that their accountant has completed a review of all issues in this appeal and is compiling reimbursement impact analyses. Once this process is complete a settlement proposal will be forwarded to Defendant for their review.

November 19, 2002

Unopposed Motion to Sever and Consolidate Claims filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 15, 2003

The Board rendered an Opinion and made the following Order: **AAND NOW**, this 15th day of January, 2003, upon the Unopposed Motion to Sever and Consolidate Claims filed by the Claimants, finding that the relief requested is consistent with principles of judicial economy and a party's right to control the litigation of its own claims, and is without prejudice to Respondent or the other Claimants, it is hereby **ORDERED** that the Motion is **GRANTED**. The claims of Hopkins House are severed from the matters at Docket Nos. 1894 and 2110-P and are consolidated with the related pending claims of Hopkins House at Docket Nos. 1975- P and 2063-P, while the claims of Laurel Nursing & Rehabilitation (Laurel) are severed from the matter at Docket No. 2110-P and are consolidated with the related pending claims of Laurel at Docket No. 2043-P. The claims of Quakertown Manor in Docket Nos. 1894 and 2110-P shall be consolidated for hearing on such dates as may hereafter be scheduled by the Board of Claims with the related claims of Quakertown Manor at Docket Nos. 1974, 2065-P and 2677. A copy of this Order shall be entered onto the docket for each of the docket matters involved: Docket Nos. 1894, 1974, 1975-P, 2043-P, 2063-P, 2065-P, 2110-P and 2677.® Copy forwarded to attorney for Plaintiff and attorney for Defendant.

January 22, 2003

Acceptance of Service of Opinion and Order dated January 15,

2003, received from attorney for Plaintiff. Receipt of same
acknowledged by attorney for Plaintiff January 20, 2003.

May 12, 2003

Plaintiff filed letter requesting that the consolidated matters of Docket Nos. 1975, 2063, 2043, 1974, 2065 & 2677 be scheduled for hearing at the Board's earliest dates. Copy forwarded to Defendant.

October 7, 2005

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 7th day of October, 2005, it is **ORDERED** and **DECREED** that pursuant to 42 Pa. C.S.A. §5103(a) and Pa. R.C.P. 213(f), this matter and the record thereof is **TRANSFERRED** to the Department of Public Welfare, Bureau of Hearings and Appeals." Copy forwarded to Plaintiff and Defendant."

October 14, 2005

Defendant filed Acceptance of Service of Opinion and Order dated October 7, 2005. Receipt of same acknowledged October 12, 2005.

October 17, 2005

Board transferred file to Department of Public Welfare, Bureau of Hearings and Appeals.

October 20, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated October 7, 2005. Receipt of same acknowledged October 11, 2005.
